

SPECIAL ORDINANCE NO. 25—2010

FILED

SEP 07 2010

CITY CLERK

AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET AND A PORTION OF  
A PUBLIC ALLEY LOCATED IN THE CITY OF TERRE HAUTE, VIGO COUNTY, INDIANA.

BE IT ORDERED by the Common Council of the City of Terre Haute, Indiana.

SECTION I. Pursuant to the provisions of I.C.36-7-3-12, it is desired and deemed necessary to vacate a portion of Prairie Avenue and a portion of a North and South Alley located in the City of Terre Haute, Vigo County, Indiana, which is now laid out and existing in the City of Terre Haute, Indiana, and described as follows:

Beginning at the Southwest Corner of Lot 224, of Fort Harrison Addition to the City of Terre Haute, Indiana; as Platted and Recorded in Plat Book 7, Page 56 of The Records of the Vigo County Recorders Office; Thence S=00'00'00"-E Along The East Line of North 24<sup>th</sup> Street 50 Feet; Thence N-89'41'57"-E Along the South Right of Way Line for Prairie Avenue 34.89 Feet; Thence N-31'38'25"-E 58.92 Feet To the South Line of Lot 224 Extended; Thence S-89'41'57"-W 65.80 Feet to the Point of Beginning. Parcel Number: 84-06-11-127-008-000-002  
Containing 0.057 Acres More or Less.

Beginning at the Southeast Corner of Lot 224, of Fort Harrison Addition, as Platted And Recorded in Plat Book 7, Page 56, of the Records of the Vigo County Recorders Office; Thence N-89'41'57"-E 14.14 Feet to the East Side of Said Alley; Thence N-31'38'25"-E 75.49 Feet; Thence S-89'41'57"-W 14.14 Feet to the East Line of Said Lot 224; Thence S-31'38'25"-W 75.49 Feet to the Point of Beginning.

2  
1

Containing 0.021 Acres More or Less.

Commonly Bound by: 3213 N. 24<sup>th</sup> Street Terre Haute, Indiana 47804.

SECTION II. Be it further ordained that said portions of said street and said alley  
In the City of Terre Haute, Indiana, above described, be and the same are vacated and will  
revert to Marion and Carolyn workman, subject to the continuation of any and all existing  
rights for public utilities.

SECTION III. Be it further ordained that the City Clerk be, and he is hereby directed  
To furnish a copy of this Ordinance to the Recorder of Vigo County, Indiana, for recording  
And to the Auditor of Vigo County, Indiana.

Presented by Council Member, NORMAN LOUDERMILK



Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2010

City Council President—NEIL GARRISON \_\_\_\_\_

ATTEST: CITY CLERK—CHARLES P. HANLEY \_\_\_\_\_

Presented by me to the Mayor of the City of Terre Haute, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.


CITY CLERK—CHARLES P. HANLEY \_\_\_\_\_

3,  
Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2010.

MAYOR—DUKE A. BENNETT \_\_\_\_\_


ATTEST: CITY CLERK—CHARLES P. HANLEY \_\_\_\_\_

This instrument prepared by Marion and Carolyn workman, 3213 N. 24<sup>th</sup> Street, Terre Haute,  
Indiana 47804.

MARION WORKMAN 

CAROLYN WORKMAN 

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each  
social security number in this document, unless required by law.

  
Marion Workman

4

**PETITION FOR VACATION OF PUBLIC STREET AND ALLEY**

TO THE PRESIDENT AND MEMBERS OF THE  
COMMON COUNCIL OF THE CITY OF TERRE HAUTE,  
VIGO COUNTY, INDIANA.

Marion and Carolyn Workman Petitioners herein, petitions and requests the  
Legislative body of the City of Terre Haute, Indiana to vacate that portion of the public  
Street and alley described below pursuant to the various provisions of 1.C.36-7-3-12, and  
In support of this Petition, would show to the Common Council of said City as follows:

1. Marion and Carolyn Workman, Petitioners herein, is the owners of the  
following described real estate located in Vigo County, State of Indiana:

Lot 224, except 8 Feet off the North side thereof, in Fort Harrison Addition  
To the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2,  
3, 4, 5, 10, 11, 12, 13, 14, 15, and 16, in Fort Harrison Heights, a Subdivision  
In the North half of the North West Quarter of Section 11, Township 12 North,  
Range 9 West.

Manufacturer's Serial Number: MY89-18597abw

Model 33-2F-B2BAUTL

HUD Numbers: RAD 448578 and RAD 449590

Name: New Discovery Homes Inc.

2. That portion of the street and alley to be vacated as set forth may be more  
Particularly described as follows, to-wit:

Beginning at the Southwest Corner of Lot 224, of Fort Harrison Addition to the  
City of Terre Haute, Indiana; as Platted and Recorded in Plat Book 7, Page 56 of

5/

The Records of the Vigo County Recorders Office; Thence S-00'00'00"-E Along The East Line of North 24<sup>th</sup> Street 50 Feet; Thence N-89'41'57"-E Along the South Right of Way Line for Prairie Avenue 34.89 Feet; Thence N-31'38'25"-E 58.92 Feet To the South Line of Lot 224, Extended; Thence S89'41'57"-W65.80 Feet to the Point of Beginning.

Containing 0.057 Acres More or Less.

Beginning at the Southeast Corner of Lot 224, of Fort Harrison Addition, as Platted And Recorded in Plat Book 7, Page 56, of the Records of the Vigo County Recorders Office; Thence N-89'41'57" -14.14 Feet to the East Side of Said Alley; Thence N-31'38'25"-E75.49 Feet; Thence 89'41'57"-W14..14 Feet to the East Line of Said Lot 224; Thence S31'38'25"-W75.49 Feet to the Point of Beginning.

Containing 0.021 Acres More or Less.

Commonly Bound by: 3213 N. 24<sup>th</sup> Street Terre Haute, Indiana 47804.

3. No landowner adjoining and abutting the street and alley to be vacated would be adversely Affected by the vacation of said street and alley.
4. Petitioners proposes the vacation of the street and alley in order to allow more efficient and Effective use of all the subject lots by Petitioners.
5. The proposed vacation would not hinder the use of a public way by the neighbor-  
Hood in which said portion of the street and alley is located or to which they are contiguous  
And all other landowners in the area have and will continue to have direct access to  
Public ways; as set forth above, the proposed vacation of said portion of said street  
And alley would not make access to any land by any person by means of a public

6

Way difficult or inconvenient; nor would said vacation hinder any member of the Public's access to a church, school or ther public building or place , nor will it interfere in any way with fire protection or police protection for property located Within the City of Terre Haute, Indiana.

6. The Names and address of all owners of land that abut that portion of the street And alley proposed to be vacated are:

- a. Fort Harrison Land Company Inc.

2956 S. 13 ½ St.

Terre Haute, Indiana 47802

- b. Loree Lindley

2337 Prairie Ave.

Terre Haute, Indiana 47804

WHEREFORE, Petitioners respectfully requests and petitions the Common Council of The City of Terre Haute, Indiana, after hearing on this Petition in accordance with law to:

- a. Adopt an Ordinance vacating that portion of the street and alley referred to and described above;
- b. Cause the Clerk of the City of Terre Haute to furnish copies of said Vacation Ordinance to the County Recorder of Vigo County for recording and to the County Auditor, and to thereupon cause the Recorder to release said Ordinance to the Vigo County Area Planning Department for distribution in Accordance with the City's Zoning Ordinance and Subdivision Code.
- c. For all other proper relief in the premises.

DATE 02 September 2010

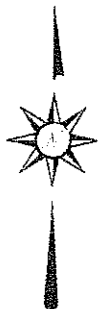
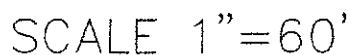
PETITIONERS:

MARION WORKMAN Marion P. Workman

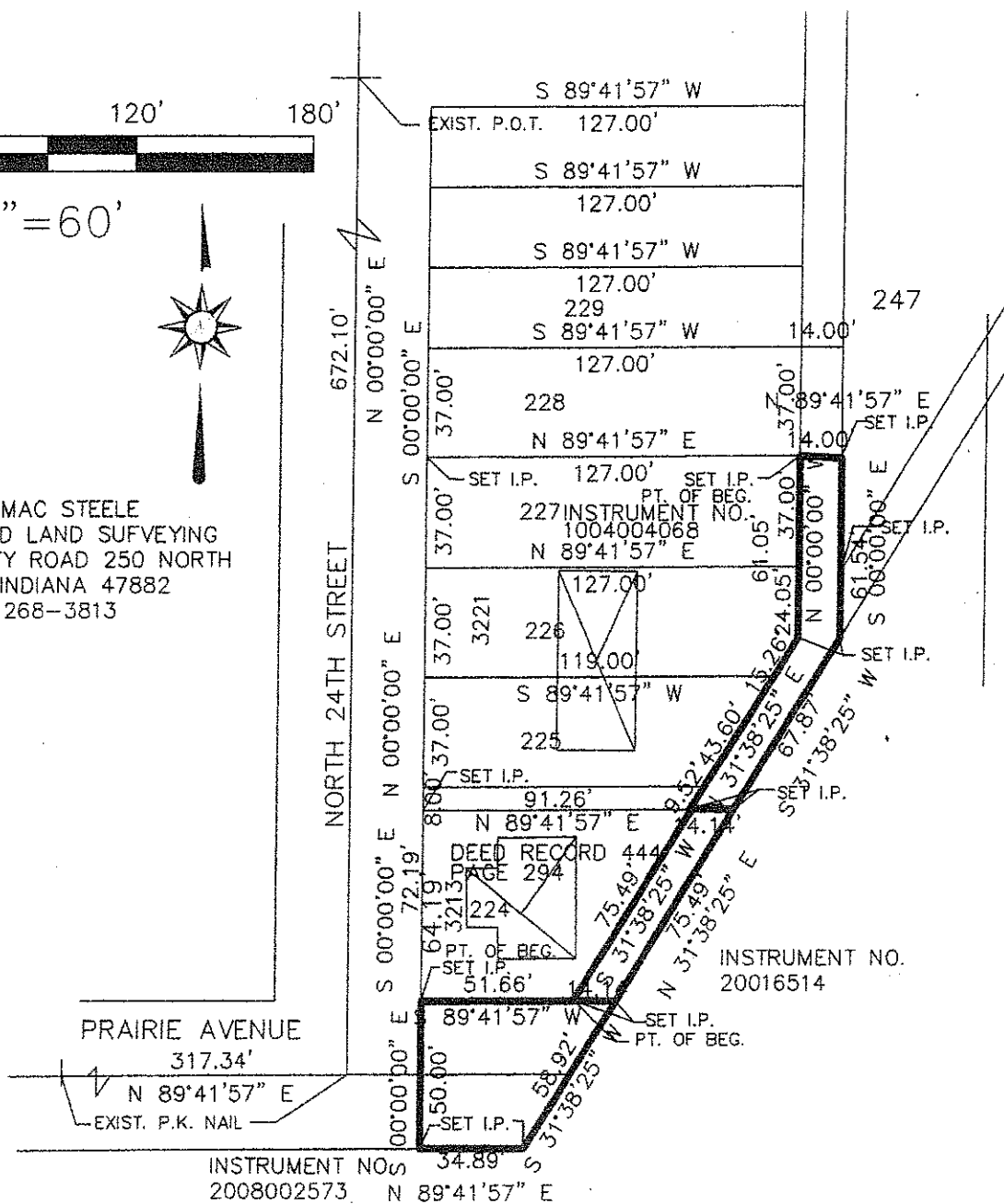
CAROLYN WORKMAN Carolyn Workman

This instrument prepared by Marion Workman and Carolyn Workman , 3213 N. 24<sup>th</sup> St.

Terre Haute, Indiana 47804. Telephone Number 812-917-2032.



WILLIAM MAC STEELE  
ENGINEERING AND LAND SURVEYING  
875 EAST COUNTY ROAD 250 NORTH  
SULLIVAN, INDIANA 47882  
(812) 268-3813






DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

JUL 08 2010

*Timothy M. Spence*  
VIGO COUNTY AUDITOR

2010008140 WD \$18.00  
07/08/2010 10:50:10A 2 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented  


## WARRANTY DEED

THIS INDENTURE WITNESSETH that Larry J. Webster, Mary E. Dwyer, and Deborah K. Jackson, "Grantors" of VIGO County, State of Indiana, CONVEYS, GRANTS, AND WARRANTS to Marion P. Workman and Carolyn J. Workman, as husband and wife, "Grantees" of Vigo County, State of Indiana, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in Vigo County in the State of Indiana, to-wit:

Lot 224, except 8 feet off the north side thereof, in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16, in Fort Harrison Heights, a Subdivision in the North half of the North West quarter of Section 11, Township 12 North, Range 9 West.

Manufacturer's Serial Number: MY89-18597abw  
Model: 33-2F-B2BAUTL  
HUD Numbers: RAD 448578 and RAD 449590  
Name: New Discovery Homes Inc.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate, as well as rights of way for drainage tiles, ditches, feeders and laterals, if any.

Taxes shall be prorated to the date of this deed.

DATED this 30 day of June, 2010.

*Larry J. Webster*  
Larry J. Webster

*Mary E. Dwyer*  
Mary E. Dwyer

*Deborah K. Jackson*  
Deborah K. Jackson

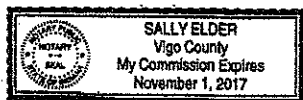
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STATE OF INDIANA )  
 ) SS:  
COUNTY OF VIGO )

Before me, the undersigned, a Notary Public in and for said County and State, this 30 day of June, 2010, personally appeared Larry J. Webster, Mary E. Dwyer, and Deborah K. Jackson, and acknowledged the execution of the foregoing deed.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:



Sally Elder  
Notary Public  
Printed: \_\_\_\_\_  
Residing in \_\_\_\_\_ County

Mail Tax Statements To Grantee at: 3213 N 24<sup>th</sup> St. Terre Haute, In.  
47804

Mail Deed To: Integrity Title Services, 1721 Wabash Ave., Terre Haute, IN 47807

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

John A. Gurchiek, Esq.

This instrument was prepared by: John Gurchiek of GURCHIEK LAW, INC., P.O. Box 20831, Indianapolis, IN 46220, at the specific request of the parties of their authorized representatives based solely on information supplied by one or more of the parties to this conveyance. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of this instrument.  
CMT: 10 0505